IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM NO.75548-M of 2006
DATE OF DECISION.1.12.2006

Sanjay and another .....Petitioners

Versus

State of Haryana .....Respondent

CORAM HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT Mr.Rajnish Narula, Advocate
with Mr. Pritam Saini, Advocate

AJAI LAMBA , J(Oral)

This is a petition under Section 482 of the Code of Criminal Procedure for quashing of complaint Annexure P9 filed under Section 193 IPC dated 30.10.2006 and Annexure P10 i.e the summoning order and consequent proceedings.

I have gone through the record of the case. The petitioners Sanjay and Sheromani were prosecution witnesses in sessions case no.33 of 2004 arising out of FIR bearing No. 193 dated 23.6.2004, Police Station Chandni Bagh, Panipat under Sections 302, 307,392, 216 IPC and Section 25 of the Arms Act.

The petitioners appeared as PW2 and PW1 respectively. In examination in chief on 20.5.2005, the petitioners identified the accused Kamal and Jasbir and deposed to the effect that the accused had deprived them of the currency notes of different denomination, caused injury and threw them in the canal in the area of SEWAH. The cross examination was deferred. The cross examination could be concluded only on 15.9.2005 whereupon the petitioners retracted from the statement given in examination in chief.

On such statements, it seems , the Court formed an opinion that the administration of justice had been affected. Show cause notice was issued to the petitioners whereafter the present impugned complaint has been filed under Section 193 IPC which is sought to be quashed.

I find that the procedure as laid down under Section 195 read with Section 340 of the Code of Criminal Procedure has been duly followed. Prima facie the reasons for proceeding against the petitioners have been substantiated.

I find no reason to interfere in these proceedings.

Petition is dismissed.

December 1,2006 **(AJAI LAMBA)**
mamta **JUDGE**